

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Michael A. Jones,

Petitioner

v.

Gabriella Najera, *et al.*,

Respondents.

Case No.: 2:24-cv-00309-GMN-NJK

Order Granting Extension of Time to  
Respond to Petition to December 19,  
2024, and Granting Motion to Seal

(ECF Nos. 17, 20)

Respondents ask the Court for an extension of time to respond to Michael A. Jones *pro se* 28 U.S.C. § 2254 Petition for Writ of Habeas Corpus. (ECF No. 20.) Good cause appearing, the motion is granted.

Respondents have also filed a motion for leave to file two exhibits under seal. (ECF No. 17.) While there is a presumption favoring public access to judicial filings and documents, *see Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 597 (1978), a party seeking to seal a judicial record may overcome the presumption by demonstrating “compelling reasons” that outweigh the public policies favoring disclosure, *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006) (citations omitted). In general, “compelling reasons” exist where the records may be used for improper purposes. *Id.* at 1179 (citing *Nixon*, 435 U.S. at 598). Here, Respondents ask to file

1 Jones' presentence investigation report ("PSI") and forensic psychological evaluation  
2 under seal because they are confidential under state law and contain sensitive  
3 information such as Jones' personal health information. (ECF No. 17.) The  
4 psychological evaluation was also sealed in state district court under the Health  
5 Insurance Portability and Accountability Act ("HIPPA") and never made a part of the  
6 public record. The Court has reviewed the exhibits and concludes that Respondents  
7 have demonstrated compelling reasons to file them under seal. Accordingly, the motion  
8 is granted, and the exhibits will remain under seal.

9 IT IS THEREFORE ORDERED that Respondents' Motion for Extension of Time  
10 to respond to the Petition (**ECF No. 20**) is **GRANTED** *nunc pro tunc*. **The deadline to**  
11 **respond is extended to December 19, 2024.**

12 IT IS FURTHER ORDERED that Respondents' Motion for Leave to File Exhibits  
13 Under Seal (**ECF No. 17**) is **GRANTED**. The PSI and the forensic psychological  
14 evaluation will remain under seal.

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16 DATED: 10 December 2024.

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18 GLORIA M. NAVARRO  
19 UNITED STATES DISTRICT JUDGE  
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